

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Santosh Misra and Malinee Chatthai

Application No. 09/641,540**Filed:** August 18, 2000**Confirmation No.****For:** PLANT-GENE PROMOTER AND
METHODS OF USING THE SAME**Examiner:** Teresa E. Strzelecka**Art Unit:** 1637**Attorney Reference No.** 7013-54358MAIL STOP PETITION
COMMISSIONER FOR PATENTS
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450

CERTIFICATE OF MAILING

I hereby certify that this paper and the documents referred to as being attached or enclosed herewith are being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: MAIL STOP PETITION, COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450 on the date shown below.

Attorney
for Applicant(s)Date Mailed November 26, 2003**RECEIVED**

DEC 0 8 2003

TECH CENTER 1600/2900

**AMENDMENT AND PETITION TO
CORRECT INVENTORSHIP UNDER 37 C.F.R. § 1.48(a)**

Applicants hereby petition the Commissioner to amend the above-referenced application to correct the inventorship by adding Malinee Chatthai, who was omitted as an inventor through error and without any deceptive intention. Included herewith are:

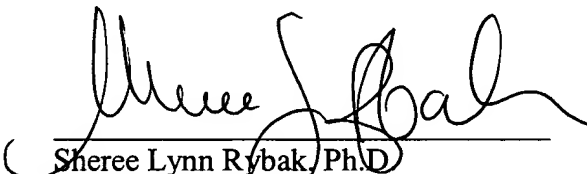
1. A statement as required by 37 C.F.R. § 1.48(a)(1) by Malinee Chatthai that omission of her name occurred without deceptive intention on her part;
2. A statement as required by 37 C.F.R. § 1.48(a)(2) by inventor Santosh Misra that the error occurred without deceptive intention on her part;
3. A check in the amount of \$130 in payment of the fee required under 37 C.F.R. § 1.48(a)(3) and set forth in 37 C.F.R. § 1.17(i);

4. Written consent of the Assignee, University of Victoria Innovation and Development Corporation, as required by 37 C.F.R. § 1.48(a)(4); and
5. The assignment from Malinee Chatthai to University of Victoria Innovation and Development Corporation, was submitted for recordation November 25, 2003. A copy of our fax receipt showing that the assignment was submitted is enclosed.

Applicants respectfully submit that the requirements of 37 C.F.R. § 1.48(a) for amending the inventorship of the present application have been satisfied, and request favorable consideration of this petition.

Respectfully submitted,

KLARQUIST SPARKMAN, LLP

By 
Sheree Lynn Rybak, Ph.D.
Registration No. 47,913

One World Trade Center, Suite 1600
121 S.W. Salmon Street
Portland, Oregon 97204
Telephone: (503) 226-7391
Facsimile: (503) 228-9446